

13281 U.S.PTO  
042204

Docket No.: 63979-042

17858 U.S.PTO  
10/829235  
042204

## REQUEST FORM FOR CONTINUATION APPLICATION UNDER 35 USC 111(a)

Prior Application: **International Application No. PCT/JP03/14692**  
Art Unit: **(Unassigned)**  
Examiner: **(Unassigned)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a continuation or continuation-in-part application, entitled **A NON-VOLATILE MEMORY CELL AND A METHOD OF CONTROLLING THE SAME**, under 35 U.S.C. 111(a) of pending prior International Application No. **PCT/JP03/14692**, filed on **November 19, 2003**, entitled **A NON-VOLATILE MEMORY CELL AND A METHOD OF CONTROLLING THE SAME**, by the following named inventor(s):

INVENTOR	RESIDENCE	CITIZENSHIP	POST OFFICE ADDRESS
Takashi OHTSUKA	Osaka, JAPAN	Japanese	7-2, Uenohigashi 2-chome, Toyonaka-shi, Osaka 560-0013 JAPAN
Kenji TOYODA	Osaka, JAPAN	Japanese	3-2-13-303, Tezukayamanaka, Sumiyoshi-ku, Osaka-shi, Osaka 558-0053 JAPAN

- I hereby verify, to the best of my knowledge, that the enclosed copy of this prior application is a true copy of the above-identified prior application, including the oath or declaration as originally filed.
- Preliminary Amendment is enclosed.
- An Information Disclosure Statement, References and PTO1449 Form are submitted herewith.
- Cancel claims

4. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	19	-20	0	\$18.00 =	\$0.00
Independent Claims	8	-3	5	\$86.00 =	\$430.00
			Basic Application Fee		\$770.00
			If multiple dependent claims are presented, add \$290.00		\$0.00
			Total Application Fee		\$1,200.00
			Subtract ½ if small entity		\$0.00
			Assignment & Transmittal Fee		\$40.00
			<b>TOTAL APPLICATION FEE DUE</b>		<b>\$1,240.00</b>
<b>AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417</b>					<b>1,240.00</b>

4a.  Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.

4b.  A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.

5.  The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees including any extension of time fees to maintain the pendency of the parent application Serial No. \_\_\_\_\_ or credit any overpayment to Deposit Account No.500417.

6.  Amend the specification by inserting before the first line the sentence:

7.  Priority of Japanese Application Serial No. 2002-340588 filed on November 25, 2002, in Japan and International Application No. PCT/JP03/14692 filed November 19, 2003 designating the U.S. is claimed under 35 USC 119, 120 and/or 365. A certified copy of the Japanese priority document is enclosed. Also enclosed is a copy of the published International Application (      ).

8.  The prior application is assigned of record to:

**Matsushita Electric Industrial Co.,  
Osaka, JAPAN**

9.  The power of attorney in the prior application is to:

**SAEGUSA INTERNATIONAL PATENT OFFICE  
OSAKA, JAPAN**

10.  Also enclosed:

1. Verification of A Translation
2. Japanese Search Report

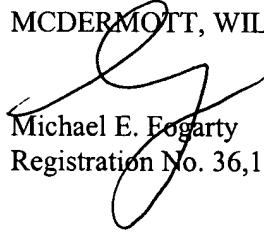
11.  A petition, fee and response has been filed to extend the term in the pending prior application until

12.  Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, D. C. 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 MEF:mcw  
Facsimile: (202) 756-8087  
April 22, 2004

Docket No.: 63979-042

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277

**Takashi OHTSUKA, et al.** : Confirmation Number:

Serial No.: : Group Art Unit:

Filed: April 22, 2004 : Examiner:

For: A NON-VOLATILE MEMORY CELL AND A METHOD OF CONTROLLING THE SAME

**CLAIM OF PRIORITY AND**  
**TRANSMITTAL OF CERTIFIED PRIORITY DOCUMENT**

Mail Stop CPD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

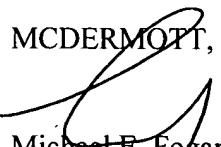
Sir:

In accordance with the provisions of 35 U.S.C. 119, Applicants hereby claim the priority of:

**Japanese Patent Application No. 2002-340588, filed November 25, 2002**

cited in the Declaration of the present application. A certified copy is submitted herewith.

Respectfully submitted,

  
MCDERMOTT, WILL & EMERY

Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 MEF:mcw  
Facsimile: (202) 756-8087  
**Date: April 22, 2004**

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP03/14692 is a true and complete translation of the above identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

April 8, 2004

Full name of the translator

Yumi HIRANO

Signature of the translator



Post Office Address

Kitahama TNK Building 7-1, Dosho-machi

1-chome, Chuo-ku, Osaka-shi, Osaka 541-0045,

Japan